

**Memphis and Shelby County
Metropolitan Government Charter Commission**

**Minutes
April 22, 2010
4:00 p.m.**

Commission members present:

Julie Ellis, Chairman
Andre Fowlkes, Vice Chairman
Lou Etta Burkins, Secretary/Treasurer
Damon Griffin
Mayor Richard Hodges
Linda Kerley
Billy Orgel
Chris Patterson
Carmen Sandoval
Richard Smith
Dr. Randolph Meade Walker

Commission members absent:

J. W. Gibson
Jim Strickland
Rufus Washington
Rev. Ralph White

Others present:

Bill Dries, The Daily News
Christy Kinard, Asst. Co. Attorney
Matt Kuhn, Asst. to County Mayor
Kelly Rayne, Asst. to City Mayor
Mayor Stan Joyner, Collierville
Darrell Cobbins, Rebuild Government
Janet Shipman, Health Dept.

Ed Baker, The Memphis Flyer
Jack Payne, Asst. City Attorney
Davida Cruthirds
Lisa Kelly, Asst. Co. Attorney
Carter Gray, Asst. Co. Attorney

The 14th meeting of the Memphis Charter Commission was called to order at 4:05 p.m. after a moment of silence.

Chairman Ellis called the roll and announced there was a quorum (11 present).

Approval of Minutes: Commissioner Patterson moved approval of the Minutes of the April 15, 2010, meeting. Commissioner Burkins seconded. All Commissioners voted aye. The Minutes of April 15, 2010, were approved.

Administrative Update:

Matt Kuhn provided instructions on the conference call with officials from Nashville-Davidson County.

Kelly Rayne, City Mayor's Office: No updates.

Christy Kinard, Asst. County Attorney: No updates.

Jack Payne, Asst. City Attorney: No updates.

Conference Call with Nashville Officials

Chairman Ellis introduced the Charter Commissioners to the Nashville officials, Commissioner Gerald F. Nicely, TDOT; Nashville Metro Councilman Erik Cole and Ed Cole, President of the Transit Alliance. The Commissioners were advised that Commissioner Nicely ran the economic development and planning commission in Nashville and that Councilman Cole represents District 7 in Nashville and is very involved in chairing many of the committees of their Council. We would like to know what you really got right; what you wished you had in your charter and all of your wisdom you can send west.

Commissioner Gerald Nicely, Tennessee Dept. of Transportation: I had about 30 plus years in Metro before I came over here as Commissioner. I worked at the Planning commission for several years and was division director when I left and then I took over as executive director of the Metro Development and Housing Agency which is the housing authority/redevelopment authority combination in Nashville and was there for 22 years. I will give you my perspective on how things have gone here and then you can hear from Erik and Ed. Frankly, metro government is -- we really take it for granted. Nobody really thinks of it anymore, but there are a lot of advantages that I think you don't really see. I will give you an example. When I ran MDHA, we did a lot of tax increment financing. A lot of our downtown development was funded through tax increment financing. In fact, we just had one taxing entity -- it really made it easy. We were able to do it and do a lot of good things, I think. That is one example. Looking at, generally, the charter and so forth, I personally think, and I have said this before, I think the size of the council is an overrated issue. A lot of people think it should be smaller. I think, actually, the large council works pretty well. It keeps the districts relatively small. The population distribution is such that a single councilman is going to be in contact, as Erik is going to tell you, with his constituents and I think the committee -- they have got a good committee system there. They have a strong vice mayor. The way it is set up here, the vice mayor presides over the council. I think it works pretty well for all of the years I have seen it and I think the size of the council issue is one that is over-blown. I have got my doubts about the at large; we have five at large here and I think they're original -- I think maybe George Cate mentioned some of that in his conversation -- I think the at large sort of serve as a buffer or a backup, I guess, if a district councilman

didn't want to do something -- I am not sure that worked out well, and I, personally, am not sold on the value of the at large councilmen. I will say that one of the -- I think an issue here at Metro is probably -- we may have too many boards and commissions. That -- it has got an advantage -- clearly an advantage is that you get a lot of citizen participation, but there are so many of them, I am not sure -- at times it does create another layer. For example, another sort of corollary issue, I think the department heads are far too protected with civil service. It is very difficult. The mayor really only has three or four direct appointees. Obviously, the mayor, if he needs to make a change, he can, but often you have to go through an embarrassing process and I really think department heads and commission heads should serve at the pleasure of the mayor as they do at the commission; as they do at the state, for example. Also our charter is probably too restrictive. It might get too restrictive in laying down job descriptions for certain department heads. For example, it requires an engineer to be the head of the department of public works and I think likewise at codes administration and those are big departments that really just need a manager and at times, I think, they have had trouble recruiting. In fact, I think Metro now has an acting public works director and that is the case for a lot of them over the last 20 years. I just don't think I would get too restrictive in setting out job descriptions. There are some good things, though. I think the amendment process -- it makes it hard to amend the charter and I think that is good. One feature that I think might be pretty unique that I find to really be a good one is the redistricting process, the way council districts are drawn. That is put in the hands of the Planning Commission. It is done professionally. There is a way that the council can override that, but I don't think they ever have and it really takes it out of the political Gerry-mandering process. That is a really good feature that is worth considering. One other thing I can comment on -- I guess when we spoke before, I think there is some talk there of having a consolidated transportation department. I think that is really a good idea. I think there are so many issues now revolving around transportation, that having all of those functions in one place really makes sense and it would be well-advised, if you can do it. I guess one other thing I would mention, and I don't know the way you can do this, but I think when we talked before, is -- the downtown representation -- if there is some way you can make that sort of an -- at large responsible for downtown, if you can get one person, one vote issue, but a lot of our downtown development here is in one district or maybe two and that councilman, at times, tends to want to exert more influence than maybe they should. So, those are sort of my comments.

Erik Cole, District 7 Councilman: I have been on the council for seven years, so obviously all of my service in government is within a metropolitan system. So, I don't really know what normal is like to the rest of the world. I would agree with the Commissioner on a number of points, but I think we have had had a positive overall experience. I was really interested -- I looked at four things that I think happened because of our metropolitan consolidation and the first one is a greater efficiency and streamlining. It is interesting that Mr. Cate has noted and I am really sorry you all couldn't hear from him personally because he is the expert, the wealth of knowledge on this topic, but he noted that they had done an economic study in the 60s when Nashville finally did pass consolidation; I think they saw an estimated 3-5% savings across the

board in terms of efficiency and streamlining. I think the Commissioner is exactly right on effective management and oversight functions. We have a fairly strong system there. Our setup does allow for accessibility for constituents and I will talk a little bit more about that and that fourth thing, again, agreeing with the Commissioner, I think we had a very well thought out charter. It was well constructed. I think they anticipated things that were well ahead of their time, and in particular, the amendment process being difficult. You can look at our charter; it really did deal with a lot of the transitional issues, too, that I know were very significant at that time. Going back to those four points -- on efficiency, I would point to economic development and recruitment. Our development processes, our codes, our planning, with the unified system there, we are able to do a pretty unified sub-area of planning process. I think we also are able to handle the government services well. I think you all are looking at the possibility of an urban services and general services districts and that, of course, made the transition more politically palatable here and more logistically able to happen, but it also solved some of those taxation issues that were important, not only politically, but also logistically. We actually have had some annexation here recently that was kind of driven by the communities involved. So that probably speaks highly. On management and oversight, I completely agree with the Commissioner, the fewer independent boards and commissions, the better, even from a legislative perspective. The ability to solve issues and innovate and improve departments and senior management is, I think, limited by a mayor with a number of appointed boards and commissions. Obviously, you have got to have them in quasi-judicial roles, in codes and zoning, beer regulation, those kinds of things; I wouldn't change that, but I would look at our health department, our parks board and the Commissioner may not agree with me, but even our development authority about being independent and possibility of if we did it now, bringing those back into the general government. On the constituent access point, we do have 40 members. I am a district member. I represent about 22,000 people roughly. It is relative easy to stay in touch with people, to do the case work that the constituents need and to communicate with them. I don't have a lot of unbuilt land, so I do not have to manage a lot of difficult zoning procedures, so I probably have it easier than some of my colleagues that are in Antioch or Priest Lake or in the northern part of the county. Technology is a major help with staying in touch, obviously. But I really think for ease of access to the government and ease of access of knowing there is a single point of location for each service, I do think that is a real plus for the metropolitan folks. I agree with the Commissioner about size. It is very difficult sometimes to count 39 other votes and to move legislation with that large of a council, but one thing that I think does -- one big factor is that there is no one or two groups that really hold sway over the council. It is really hard to buy or try to turn the majority of the council at any one time or on any one issue. We have got a lot of diverse interests that are engaged in what we do and how we work. The other thing that I think is interesting about us that helps in that regard is the lack of partisanship. The dynamic changes a bit in favor of the mayor, but it also, I think, slants it in favor of a good process. The larger political debates around race issues and social issues, we don't really get into and when we do, of course, they creep in sometimes, but those political fights are usually around the moralizing resolutions or they are around funding specific programs which is a significant concern or they are around legislative mandates. I think about the guns in

parks debate and we clearly had to engage in that discussion and got into it, but you don't have party whips and you don't have some of the – what some people would call organization like you have in the legislature and it probably does increase the mayor's power, but it really does allow us to do the city's business. Going back to the charter, I would say that generally our system is heavy on the mayoral side. It may sound odd for a member of the legislative body to agree with that, but I think when you couple that with a two term mayoral limit that we have and our history of fairly effective mayors, it is kind of hard to argue with some of our progress and some of our results. And the council is a decent check and balance, I think. We are really engaged in the back and forth. The administration is not, I can honestly say, is not able to take our 40 members for granted at any one time. They have to work on legislation to get it through. There is no doubt, I think, that diversity -- and that was a major factor, I think if you saw Mr. Cate's comments, why they went from a 21 member to a 40 member council at that time in the 60s. It really has gone to a diverse council and we are as diverse now as we have ever been; we have a good balance of men and women and African Americans and even some sexual orientation differences. The only things I would add -- the charter does not lay out anything around chief of staff or a deputy mayor and that has always been a pretty strong, pretty needed role, I think, in some ways, in the absence of a county manager. That is just something to think about. But clearly now, I think we would have a transportation department. I think we would have some more focus on results and measurements. And we would have more focus on interdepartmental interaction. We still see that, as any government does, with departments maybe not talking to each other as much as they should.

Ed Cole, President of Transit Alliance: I think the last point about the interdepartmental action would really be supported by a strong mayor-appointed cabinet concept that the Commissioner addressed. That would foster that kind of, for example, the discussion of parks recently, those kinds of issues would be more easily handled. The only other point that I would raise in addition to saying yes to everything, is the satellite city concept. In some ways, the satellite city issue in Nashville-Metropolitan Davidson County was a little different because the satellite cities were not as developed with city cores and history as you would have, certainly in terms of Germantown, Collierville, Millington and the areas in Shelby County. I think we would agree that the arrangement here, they basically came in under the general services basic level of service and then had their own options to administer things beyond that, has worked pretty well. There has been a little bit -- I think Mr. Cate identified that there was some friction with Goodlettsville, but in terms of the others, I think it has worked well. And now you even have Lakewood saying that we are not really sure that there is an advantage to even being a satellite city and then the integration of the services, particularly police protection, I think, has actually gone fairly well, even though most of those satellites provide their own, at least several of them provide their own police protection and I think they do interconnect. The final point that I would make is simply regional thinking and moving beyond political boundaries is clearly something we are all engaged in. An advantage here is that we are really facing that from the Metro Nashville perspective in terms of the surrounding counties not having to address that internally in Davidson County and I think that is a step forward. I think if we do regional

things, a great reason we are able to move more quickly is because we have the ability to address that in the consolidated county.

Chairman Ellis: One of the things we talked about when I was in Nashville with you was your law enforcement structure and Commissioner Nicely, you had views on that I think would be very helpful to hear. It might underscore for our Commissioners -- week before last, we voted to recommend the Nashville model of separating the duties of law enforcement from the sheriff and I know you had some views, Commissioner, if you don't mind sharing them with the rest of the Charter Commission, I would appreciate it.

Mr. Nicely: The metro police and the -- leaving basically the sheriff's function as essentially the jailer and process service, I think that has worked extremely well. We have a good, professional police force. Of course, we occasionally have problems like everybody else, but I think, for the most part, that has worked very well over the years.

Councilman Cole: I would absolutely agree. If you go to the jail, and a group of us with the leadership program just did that, it is very clear where the line is drawn. The police department does all of the outside work. They bring in suspects, they bring people to the jail door and then the sheriff takes over at that point and they integrate very well in terms of their separate responsibilities.

Mr. Nicely: The sheriff is elected, of course.

Chairman Ellis: Commissioner, when you have been in Memphis in your role as head of TDOT, you have made very clear to many of us that there is little or no funding coming our way in the future. Would you comment about the structure in Nashville and what this structure, in your opinion, might do for Memphis-Shelby County in light of funding, in your opinion?

Commissioner Nicely: Federal money coming -- well, I think -- you mean coming to the state or specifically to the Memphis area?

Chairman Ellis: Well, either. Well, obviously we are more interested in the state giving it to Memphis, but whatever the view is. You just mentioned the criticality of understanding that you have to work together and come up with some very strong solutions as a region and I believe Ed touched upon that. So, if you have any other words of wisdom, that would be helpful.

Commissioner Nicely: Oh, the city/county working together? Well, no -- in fact. in terms of transportation, I think Memphis does a good job. In my dealing with the larger urban areas in Tennessee for the last seven plus years, I think the Memphis area, in terms of their transportation planning and the way you integrate the business community and even the universities and everyone in with the city and the MPO is really good. I mean, I have told other cities, Knoxville and Nashville, for example, that Memphis really does a good job in that area. So, I think that is one place that you have a real advantage going in if you go to a metro government.

Councilman Cole: And I think in the discussion about a consolidated government, as these resources become tighter, which we know they are, and I believe, Julie, that is what you are referring to, then to take the city/county conflict out so that with Memphis already doing a good job through the MPO structure, a consolidated Memphis/Shelby County would be even more significant in attracting those growingly short resources.

Comm. Sandoval: Would you elaborate a little bit more when you talked about the charter being too restrictive for qualifications of heads of departments, the challenges with recruitment; did you have challenges in other areas? That was one of the recommendations that -- the structure that I liked about the Nashville charter is that it appeared that it was going to put very qualified individuals into those positions. Could you elaborate a little about that?

Comm. Nicely: Are you talking about the appointed positions, the commissions, and department heads alike? Again, I think our charter there is a little too specific in many cases. I think, again, it might narrow your field of people who you get because today, just like in business, government -- big departments are management-oriented rather than insisting on certain levels of qualifications. I think you are much better off leaving that to the mayor and the legislature to make those decisions as they go along. And once again, both Erik and I mentioned, we probably, here, have that extra layer, in most cases, between the mayor who is the chief executive and his cabinet, in effect. There is a board or a commission there and I, frankly, think that ought to be removed. I think, to the extent that you can, there should be a cabinet approach, as Ed said, that they report directly to the mayor and to the council. I found out that a lot of states have transportation commissions, for example. I think about half of them do and I see it over and over again that there are conflicts between the commission and the governor and the legislature. I would really urge you to try to keep those kinds of barriers from being in your charter per se. And again, try to avoid getting too specific on what your requirements are for certain jobs and let your mayor and your legislature deal with that as they go along.

Councilman Cole: I think that has kind of been borne out in practice where mayors have ignored what is in the charter and in some cases, for good reason, and in other cases, it just shows there was no recourse or anything if they ignored it.

Comm. Nicely: For example, we just had a replacement of a parks director and it was a somewhat painful situation to go through and everybody would have been spared that had that individual been a direct report and serve at the pleasure of the mayor.

Comm. Fowlkes: I heard Councilman Erik Cole speaking on economic development. There are many definitions of economic development and one of which talks about the creation of jobs, livable communities and social inclusiveness as well as the collaboration of government. I just want to know, in your opinion, would you think that consolidation is more of an enabler or a deterrent in those four different areas?

Councilman Cole: I think it is an enabler because you are not necessarily in competition then against yourself within the county. You are able to do a comprehensive look at -- through multiple processes, but through planning, zoning -- we are doing a lot right now around healthy lifestyles and measuring outcomes with kids in our elementary schools throughout the county, so you are really able to look at that as kind of an even playing field and then you have got the backstop of 35 district members who you know are going to fight for their area and their area's jobs and their area's livable communities within their neighborhoods. So, you are able to approach recruitment of jobs and outside economic forces in a unified manner in some ways, but then you have got the processes within the government to kind of sort out where those opportunities go once they are in the county. Clearly, we don't always get that right. Consolidation did not solve inequality or lack of different opportunities within the county, but I do think it provides opportunity for some of those things to be addressed.

Chairman Ellis: Commissioner Nicely, when I left Nashville you made one very, very interesting statement to me on what you thought the impact of a consolidated Memphis and Shelby County would be on the State of Tennessee. Would you share that comment, if you remember what you said, to the rest of the commission?

Comm. Nicely: I frankly don't remember, but I do think it would certainly be of great benefit and I will be very honest right now; I think you have got a mayor who would be the perfect person in place to begin the consolidation in working with him over the last several years. Again, I would -- in some ways you are much further along than Nashville was. I think your -- in transportation in particular, in looking at that, I think you certainly would benefit.

President Ed Cole: I think the role of leadership is critical. As you know from Mr. Cate's discussion and the comments we shared when you were here, the two mayors, Reilly and West, were critical ingredients in the beginning of the metropolitan government and then the transition, as George (Cate) said, a rather quick adaption was supported by them; so the leadership was never in doubt on this issue once the second vote took place.

Call ended at 4:44 p.m.

Chairman Ellis: I did have a communication with Mr. Cate who was the first vice mayor and I will circulate my notes from that conversation with the commission. I shared them with the Nashville people, thinking they might give them to you, but I will just share them with the commission. For the Chamber representative in the room, the Nashville Chamber studied their charter about 15 years ago and issued a report and the League of Women Voters prepared a book on their charter called, "Your Metropolitan Government." Those were both interesting items. There was also a professor that was very much in favor of consolidation, a professor of political science at Vanderbilt, a Dr. Dan Grant who wrote a book about the Nashville consolidation which Mr. Cate felt was very valuable for us to review. I will circulate these notes and we will put them on the website as well.

Name the Government

Comm. Fowlkes: The task force got overwhelming support for the name "Memphis Shelby County Metropolitan Government."

Comm. Fowlkes made the motion to adopt that name; seconded by Comm. Smith. The body voted aye unanimously.

Charter Commission Timeline

Comm. Burkins: We would like to have all task force recommendations completed by May 13 and that includes some new task forces that have not yet met. The executive branch and the transition reports should be complete by June 17. We are looking at performing tasks two and three concurrently in terms of the writing committee coming back, making their reports and us approving those portions. We plan to start that on May 20 and run concurrently with the executive branch and transition reports and the ending date would be June 17 for tasks two and three. The final draft charter -- this is a key date -- we would like to have that completed by June 24; that is the final written draft of the charter. We would like to have a joint meeting with the City Council and the County Commissioners on July 1. The full charter commission needs to commit to being present on that date as we prepare the report for the City Council and the County Commission.

Mr. Kuhn: It is still tentative, but we anticipate that meeting will be held at the FedEx Institute of Technology at 4:00 p.m. on July 1. This is a neutral venue with room for the Council, Commission, press and public.

Chairman Ellis: It is a requirement of the resolutions by which we were appointed to deliver this report before we adopt the charter.

Comm. Burkins: It has been recommended that we have three public hearings on the charter on July 8, 15 and 27. Possible locations include Southwind High School, East High School and possibly a location in Millington. These locations are not written in stone.

Comm. Smith: If we move the date to report to the City Council and County Commissioners up to June 24, I think we should move up the beginning of the public hearings and give ourselves more time for the final revisions of the charter based on what comes out of those public meetings and the meetings with the council and commission.

Chairman Ellis: June 29 may be a better date to look at the red line version of the charter, knowing that August 5 would only give us three days to file it.

Comm. Burkins: The key date is going to be July 29. We would start reviewing the Charter after the public hearings. The final charter provided in red line would be approved on Aug. 5 for us to review and then August 5 is another key date which is the final vote on the charter. And we need everybody here. We would like for commissioners to sign the charter as a show of endorsement on that final vote. We have to file the final charter with the Election Commission on August 10 and then the public education would run from August through November 2. The commission assumes that because it dissolves on August 10, that the executive team (Kuhn, Kinard, Payne, Ryder, etc.) would complete task 11 once the charter commission dissolves. Any pamphlets, literature, etc. that has been compiled by the commission would be distributed. Mr. Kuhn agreed with the caveat that the commission provide specific instructions prior to their disbandment since they would not be available for questions later.

Comm. Fowlkes: Relative to the public education piece, some of the money earmarked in the budget may be used to create some literature, etc., to be disseminated by using marketing and education firms. The commission must have a plan in place so that when the commission goes away after August 10, the plan can still be carried out from a marketing standpoint to educate the public between August and November. Voter turn-out is historically low for this type of election, so the marketing or education plan must be carried out over the next few months to keep the issue on the forefront; to keep people apprised of information. That way, they will have the facts when it comes to actual voting.

Comm. Kerley: Regarding locations, might be good idea to get some feedback from Brian Stephens (with Rebuild Government) to determine where his highest percentages of people involved may live and perhaps have a meeting in that location, to make sure we draw as many people as possible. Could the meeting possibly be on August 2 or August 3 instead of August 5? I may be out of town.

Chairman Ellis: I think that is why we have raised this calendar and, obviously, we have geared toward Thursdays. We know we haven't had perfect attendance, but we wanted to ensure that all Commissioners had an understanding of the critical dates. I would like to have the commissioners address us if they have already scheduled vacation anywhere from July 29 to August 5 or 6. Please let me know, or let Matt know so that we can compile this and we can arrive at a date for the final vote on which everyone may sign the Charter.

Chairman Ellis: John Ryder has been asked to do the delineation of issues for the executive branch of the charter. The executive committee will advance a recommendation on the Executive Branch, but is asking all task force chairs to work with the executive committee on the design of the executive branch in light of the fact that they have been chairing the government services issues. Every task force chair is invited to be a part of making recommendations for the executive branch; like-wise transition. As we go through the reporting out of the individual departments of the

government, and the legislative branch. We need to decide the dates for elections.

There has to be a plan to get to the elections and the effective date of the new government. Who is going to be in charge? How do we deal with two councils, two mayors during transition? The constitutional officers offer less of an issue. How long do they serve? Jacksonville had an 18-month transition; they now believe that was way too long. The efforts to limit what goes on during transition -- all of the governments from our four benchmark cities had issues -- in Jacksonville, they raised the police salaries; in Louisville, they bought new patrol cars; in Nashville, the former mayor who did not win gave everyone a \$50 salary increase. Controlling transition finances is a commitment that we have to be mindful of and provide in the Charter. Once finance, human capital system and economic development report, we will probably have one meeting on transition ideas that are brought forward from the executive committee and the chairs of the task forces, recognizing that is a critical function of the charter.

Comm. Walker: I have some concern about public education piece. There seems to be a lot of preconceived and misinformation out there. This is going to be a major undertaking and with all due respect to technology and print materials, there is no substitute for the human element. Perhaps a speakers' bureau could be formed. In addition to the public hearings, we are going to have to do a whole lot of "cottage" meetings to really answer questions, educating the public on facts as opposed to fiction.

Chairman Ellis: I talked to Vice Mayor Cate (Nashville) who was actually in charge of their campaign's speakers' bureau. All ten Nashville Commissioners were part of the speakers' bureau. He stressed the necessity to have professionals directing the campaign. The executive committee has been authorized by this commission to bring back a list of professional public relations firms from which to choose to guide the commission. As the commission knows from emails I shared with you, we have attempted, through the collective wisdom of the group, to correct mistakes that are out in the public. I don't want to believe that there are people deliberately misleading the public, but it is our responsibility to make corrections as we move forward. Before we talk to the County Commission and the Council, we should have a very clear understanding from a consultant how best to communicate in simple terms what is in the charter and how we might best communicate that to our elected officials and the public.

Comm. Fowlkes: The public education wisdom with respect to the budget and the monies to be used to help educate the public, those dollars are to be used to convey the words in the charter document. With regards to doing things before we get to that stage in the process of getting the charter document, it would then be on us to encourage more participation from the public, more organizations and the gathering of resources to start the process of education, particularly with the myths and misconceptions relative to consolidation. We need to start gathering resources to start the education process, bringing together groups, entities; creating, having people in the public start citizen proponents to help push what we are doing. We need as much community help as possible each time we meet.

Central Support Services Task Force

Comm. Damon Griffin, Central Support Services Task Force

This task force looked at building security; fleet management/motorpool; IT/computer networks; printing; property maintenance; public relations; and purchasing.

Recommendations:

1. Metro charter should include as a general service "department of building security" for all metro properties. Currently, Memphis has a sort of mixed operation. Security for City Hall is handled by a single entity, but they have a partnership with the Memphis Police Department to handle other security. Shelby County uses both sheriff's deputies and private security.
2. Metro charter should include a general service "department of fleet management services" providing for all metro vehicles. Currently the sheriff's fleet, the city and the county's fleets maintain separate fuel contracts. This is a large part of the budget as it relates to fleet management. There may be some cost savings in terms of efficiency if some costs can be merged or integrated among the various entities. There has been some communication among the three entities as relates to possibly combining mechanical work, garages and fuel. Extending the life of vehicles as opposed to the purchase of new vehicles could possibly result in savings. This recommendation may not be specifically included in the charter but it is something for the new government to consider. In response to Comm. Walker's concern about abuse of fleet vehicle use and maintenance, it was determined that probably the ethics department and/or the inspector general's office would prevent these kinds of abuses.
3. Metro charter should include a "unified technical system on one computer network" for all metro offices. The mayor would have authority to appoint a chief information officer to oversee IT operations. The city and county IT departments have already begun to collaborate and combine some of their services, particularly relative to network servers and data centers. Comm. Smith recommended that because of the complexity of computer systems that the chief information officer be someone with specific qualifications to meet the requirements of such a critical area. Use of a metro-wide network could increase the communication levels among government offices.

Comm. Sandoval: I think we can draft this in a way that will insure that the people who are put in place, not only in high levels like this chief information officer, but also the boards that will be overseeing these areas are individuals who have experience in those particular areas. It can be done in a creative way, but insuring that whoever is in charge 20 years from now, will actually have the qualifications to make these areas successful.

4. Metro charter should include as a general service a "department of printing."

Chairman Ellis: With respect to the proposed department of printing, I know years ago Fed Ex out-sourced their printing and as we let this government look at the provision of services, we should let them decide how to provide them and that we not adopt the actual department, but just the function.

Comm. Griffin: I think there should be language in the charter as it relates to establishing a department of printing; however, we should not restrict the department's ability to outsource whatever work they have beyond their capacity in the department, but should establish a department of printing.

Comm. Smith: To a point Comm. Strickland made earlier about not wanting to lock in things that may change in the future, that may change in the next 10 years -- at Fed Ex, we are seeing the traditional printing business shrink substantially as digital formats become more common. An example is the release of the Ipad and digital readers that are going to change the printing world. The commission should not lock ourselves into a "printing" department when that function may be completely obsolete in a few years.

5. Metro charter should include as a general service a "department of property maintenance" which would include all real property owned by the metro.
6. Metro charter should give the metro mayor an executive power to create a "department of metro public information". Currently both mayors have public affairs/public relations offices or individuals who report directly to the mayors regarding dissemination of public information. There have been, possibly because there is no central information office -- not only during changes of power -- instances when misinformation has been released to the public.

Comm. Smith: How is this handled now? Is this something currently in the charter, or just something that both mayors have put in place?

Comm. Griffin: It does fall under the executive office and the mayors have individuals that they use to disseminate information to the public, there is no central office. We don't currently have a public information office as corporations or businesses might have.

7. Metro charter should include a general service "department of administration and finance." Purchasing services would be established under this department. The Department of administration and finance will be handled in more detail when the finance and accountability task force makes their report.

Comm. Griffin made the motion to approve all seven recommendations; seconded by Comm. Walker.

Comm. Fowlkes: Curious as to current state of departments? Did you find that each government had their own departments? Were the departments specifically established in the current charters of the city and the county?

Comm. Griffin: For the most part, with the exception of building security, they were duplicative. Each government, as it relates to the seven areas that we reviewed, have their own department. In some areas, there is some collaboration and actually, we found that many of the groups were happy to sit down and talk about what they do and where they overlap and seemed willing to work to reduce some redundancies.

Chairman Ellis: With respect to the proposals, I know that building management and security are often dealt with collectively by the same entities in the private sector. When we get to the writing committee, do you have a problem with us looking at building management as a total function?

Comm. Griffin: No problem with that concept. The Shelby County Code of Ordinances grants the division of administration and finance the power to function as a building manager as it relates to building security as well.

Body voted aye.

Items of Discussion for Next Meeting, April 29

Chairman Ellis: During the meeting of April 29, the Finance and Accountability task force and the Human Capital and Customer Service task force will report out.

Items of Discussion for May 6, 2010

Chairman Ellis: On May 6, Comm. Orgel will make the Economic Development task force report. Mayor Hodges will report from the Intergovernmental task force. We will resume the Legislative task force with respect to annexation and districting. The executive committee will report out on the Executive Branch task force. With respect to the transition task force, we are going to clarify what is in transition; note some of the options, and then ask task force chairs and all members of the commission to participate during one meeting.

Comments from the Public and Organizations

Mayor Stan Joyner of Town of Collierville: Relative to central support services, under the heading of general services -- in the past we talked about general services taxing districts and urban services taxing districts -- since these would be set up general taxing

services, I assume they would be paid for by the general services taxing district. Is that correct?

Chairman Ellis: We will actually look at the allocation of all of the functions when we get to finance and accountability.

Mayor Joyner: We are concerned that we know what we have as far as county real estate, county vehicles; cruisers, fire department equipment, that type thing, but I am just thinking about the magnitude that the city equipment would bring on; the city buildings, Memphis police department, the fleet of Shelby County and the fleet of Memphis; just trying to get a clarification, but that is something to be looked at, right?

Chairman Ellis: These are all of great concern to all of us, too. Obviously when you look at trying to put together a government, you have to look at what will be the most efficient and obviously we have to allocate who will pay. And I know that we are all interested in that allocation, what percentage of the uses and we have to look at that and obviously those are going to be huge discussions and we need your input.

Comm. Orgel: What are things now that you duplicate in Collierville.

Mayor Joyner: Each one of us is a little bit different, but in Town of Collierville, we literally provide all of the services with the exception of the schools that you have in any municipality. We pump our own water and treat it, our own potable water. We treat our own sewage and it then goes into the Wolf River, probably 9.5 million gallons a day that we can treat. We provide our own police and fire service. We provide our own public works department. We collect our own garbage. We truck it to the dumps. So, there is actually nothing in the way of a service other than, as I said, the schools that a resident of the Town of Collierville would need to leave our city limits for. Relative to the health department, we met a couple of weeks ago and two percent of our population uses any service that is offered by the health department. We pay handsomely for our use of MLGW. The Shelby County tax rate now is \$4.02; of course, we pay an extra five cents for schools, but I think \$1.98 is going to schools and the remainder of it is going to general services.

Other Business

None.

Adjournment

Motion to adjourn by Comm. Fowlkes, seconded by Comm. Sandoval.
Body voted aye.

Adjourned at 5:45 p.m.